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FORM**

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Total Number of Pages in This Submission 8

Application Number 10/729,296

Filing Date December 05, 2003

First Named Inventor Stout, Tadlington A.

Art Unit 3764

Examiner Name Nguyen, Tam M.

Attorney Docket Number AQU400US

**ENCLOSURES (Check all that apply)**☐ Fee Transmittal Form☐ Fee Attached☒ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/ Incomplete Application☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a Provisional Application☐ Power of Attorney, Revocation☐ Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify below):

Itemized postcard

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Gavrilovich, Dodd, and Lindsey, LLP

Signature

Printed name

Charles D. Gavrilovich, Jr.

Date

January 12, 2005

Reg. No.

41,031

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Tadlington A. Stout

Serial No.: 10/729,296

Filed: December 05, 2003.

Art Unit: 3764

Examiner: Tam M. Nguyen

Docket No. AQU400US

For: **ACQUATIC EXERCISE DEVICE**

**CERTIFICATION UNDER 37 CFR § 1.8**

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date January 12, 2005, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

January 12, 2005  
Date

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Sir:

**RESPONSE TO NON-FINAL OFFICE ACTION**

In response to the Office Action dated October 18, 2004, please amend the application as indicated below.

**Amendments to the Claims** begin on page 2 of this Amendment.

**Remarks** begin on page 5 of this Amendment.